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FAX COVER SHEET

TO

COMPANY

FAX NUMBER 17037464060

FROM Bruce E Harang

DATE 2004-06-28 19:03:01 GMT

RE US Appl No. 10/708996 Reply to Notice of
Missing Parts

COVER MESSAGE

Attached is a Response to the Notice of Missing Parts dated 06/24/2004 including a 3 page response, a fee transmittal sheet, a copy of the Notice of Missing Parts and Exhibits A-D for:

US Appl No: 10/708996
Filed 04/06/2004
Art Unit 3636
Atty Bruce E Harang
Atty Dkt 04105
Conf. No 2995

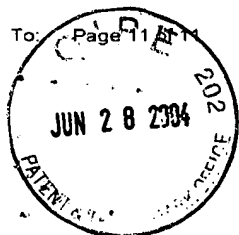
"The charm of fishing is that it is elusive but attainable. A perpetual series of occasions for hope." - John Buchan

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00

Complete if Known

| | |
|----------------------|------------|
| Application Number | 10/708996 |
| Filing Date | 04/06/2004 |
| First Named Inventor | Simon Sun |
| Examiner Name | |
| Art Unit | |
| Attorney Docket No. | 04105 |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number 502438

Deposit Account Name Lear Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 770 | 2001 385 | Utility filing fee | |
| 1002 340 | 2002 170 | Design filing fee | |
| 1003 530 | 2003 265 | Plant filing fee | |
| 1004 770 | 2004 385 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | (\$ 0 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent | -20** = | X | |
| Multiple Dependent | -3** = | X | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 86 | 2201 43 | Independent claims in excess of 3 |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid |
| 1204 86 | 2204 43 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 420 | 2252 210 | Extension for reply within second month | |
| 1253 950 | 2253 475 | Extension for reply within third month | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | |
| 1403 290 | 2403 145 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1501 1,330 | 2501 665 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 640 | 2503 320 | Plant issue fee | |
| 1480 130 | 1480 130 | Petitions to the Commissioner | 130.00 |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00

SUBMITTED BY

| | | | | | |
|-------------------|----------------|-----------------------------------|------------|-----------|--------------|
| Name (Print/Type) | Bruce E Harang | Registration No. (Attorney/Agent) | 29720 | Telephone | 360-903-4693 |
| Signature | | Date | 06/28/2004 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT OFFICE

Application No.: 10/708996
Applicant: Simon Sun et al
Filed: 04/06/2004
TC/Art Unit:
Examiner:

Docket No.: 04105
Customer No.: 23688
Confirmation No.: 2995

June 28, 2004

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

PETITION UNDER 37 CFR 1.47

Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional Application dated 06/24/2004. This petition is timely filed if filed on or before 08/24/2004.

The required fee under 37 CFR 1.17(h) of \$130.00 is submitted herewith. Kindly consider this petition and the supporting documents submitted herewith as sufficient and in full compliance with the requirements 35 U.S.C. 118 and 37 CFR 1.47.

Remarks/Arguments begin on page 2 of this paper.

An **Appendix** including undeliverable correspondence between the attorney of record and the inventor at his last known address is attached following page 3 of this paper.

07/06/2004 LWONDIH1 00000004 502438 10708996

01 FC:1460 130.00 DA



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Appl. No.: 10/708996
Amdt. Dated: 6/28/2004
Reply to Office action of: 06/24/2004

REMARKS/ARGUMENTS

This application was filed on 04/06/2004 for both inventors by the signing of a declaration by one of the two inventors whose location was known to the assignee at that time, and by the attorney of record under 35 USC 118. The location of the second inventor was unknown at that time but diligent efforts were taken to ascertain his whereabouts and procure his signature on a declaration.

On February 26, 2004 this attorney of record contacted the Lear Patent Department to provide the last known address and phone number of inventor Zorn Kojec as I had misplaced the information originally provided by them. They forwarded the last known address of 1632 McIntyre St., Ann Arbor, MI 48105-2415. No phone number was provided (see email marked exhibit D). They also indicated that they believed I had misspelled his name and that it should be spelled Kojic not Kojec.

This attorney then did an online telephone white pages search for Mr. Zorn Kojic and Mr. Zorn Kojec. That search turned up a possible phone number that when called was answered by someone other than Mr. Zorn Kojic who did not know of him.

On February 26, 2004 this attorney of record mailed a letter (see letter dated 02/26/2004 marked exhibit A) requesting the second inventor Zorn Kojic to contact him concerning reviewing and signing the formal papers for the above-identified patent application via certified mail (see Certified Mail Receipt marked exhibit B). This letter was returned to this attorney of record as undeliverable as evidenced by the face of the returned envelope (see USPS return label on envelope marked exhibit C).

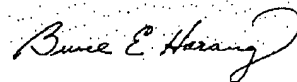
Applicants have undertaken diligent efforts to contact and have Mr. Zorn Kojic sign a declaration for filing in the US Patent Office. However, there whereabouts of Mr. Zorn Kojic remain unknown.

Appl. No.: 10/708996
Amdt. Dated: 6/28/2004
Reply to Office action of: 06/24/2004

Mr. Zorn Kojic's last known address is 1632 McIntyre Street, Ann Arbor, MI 48105-2415.

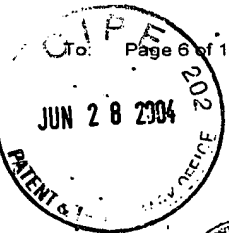
In view of the remarks herein, and exhibits presented herewith, it is submitted that this application is now complete and is in condition for examination and allowance, and such action is respectfully solicited.

Respectfully submitted,



Bruce E. Harang
Registration No. 29,720
Tel.: (360) 903-4693

Attachments: Exhibits A – D, copy of Notice of Missing Parts dated 06/24/2004,
Fee Transmittal, Transmittal Form



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/708,996 | 04/06/2004 | Simon Sun | 04105 |

23688
Bruce E. Harang
PO BOX 872735
VANCOUVER, WA 98687-2735

CONFIRMATION NO. 2995

FORMALITIES LETTER



OC000000013048038

Date Mailed: 06/24/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Zorn Kojic
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

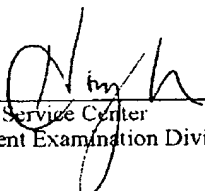
Total additional fee(s) required for this application is **\$130** for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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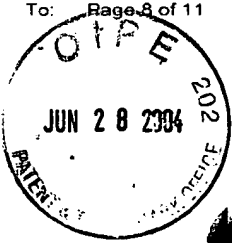
*A copy of this notice **MUST** be returned with the reply.*

Page 2 of 2


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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Bruce E. Harang Patent & Trademark Attorney
P. O. Box 872735, Vancouver, WA 98687-2735 — Telephone (360) 903-4693

(A)

February 26, 2004

via Certified Mail

Mr. Zorn Kojec
1632 McIntyre Drive
Ann Arbor, MI 48105

Re: Patent Application for:
"Rear Fold Down Cargo with Tilt Down Cushion"

Dear Zorn:

I am a patent attorney retained by Lear Corporation to file a patent application on the above-identified invention in which you and Simon Sun are listed as the inventors.

I have tried to find a phone number where I could contact you with no success.

I need to send you a copy of the application and the necessary formal papers for you to sign so that this case may be filed in the U.S. Patent Office.

Kindly contact me with your mailing address, fax number, or email address where I may forward these documents for your signature.

If you have any questions regarding this matter kindly call me at 360-903-4693 at your earliest convenience, but no later than 10 days after receipt of this letter.

Best Regards,

Bruce E. Harang

e-mail: bhpatent@comcast.net

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FEB 27 2004
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Sent To *Mr. Zorn Kojec*
Street Apt No.
or PO Box No. *1632 McIntyre St*
City, State, ZIP+4
Ann Arbor, MI 48105-2415

PS Form 3800, June 2002 See Reverse for Instructions

B

Bruce E. Harang, Esq.
 Patent & Trademark Attorney
 P. O. Box 872735
 Vancouver, WA 98687-2735

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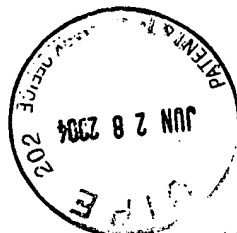


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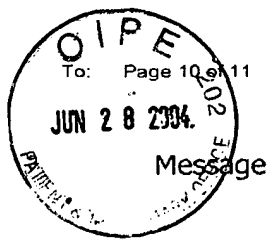
N/D
 3/11/04

Mr. Zorn Kojec
 1632 McIntyre St.
 Ann Arbor, MI

431071013 IN 20 03/04/04
 KOJECJ# RETURN TO SENDER
 NO FORWARD ORDER ON FILE
 UNABLE TO FORWARD
 RETURN TO SENDER



C



2004-06-28 18:57:47 (GMT)

360-838-6611 From: Bruce E Harang

Page 1 of 1

(D)

bhpatent

From: Maloney, David [DMaloney@lear.com]
Sent: Thursday, February 26, 2004 11:05 AM
To: 'bhpatent'
Subject: RE: Lear 04105 missing inventor address and phone number

I am pretty sure it is spelled Kojic

1632 McIntyre Dr.
Ann Arbor, MI 48105

David

-----Original Message-----

From: bhpatent [mailto:bhpatent@comcast.net]
Sent: Thursday, February 26, 2004 1:56 PM
To: 'Maloney, David'
Subject: Lear 04105 missing inventor address and phone number

David,

A while back you sent me the best address and phone number you had for Zorn Kojec. I managed to loose the information after trying unsuccessfully to contact him. However, I need to send a certified letter to him regarding the signing of the formal papers so if he is missing we can file with a non-signing inventor.

Would you be kind enough therefore to resend the information you have on Mr. Zorn Kojec? Thank you.
Best Regards,
Bruce

"The charm of fishing is that it is elusive but attainable. A perpetual series of occasions for hope." - John Buchan

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2/26/2004